

representations in the labeling of the heating pack that it would relieve congestion, chest colds, lumbago, arthritis, backache, and muscular soreness, were false and misleading since they would not be efficacious for such purposes.

On April 18, 1941, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

**397. Misbranding of Redus-Aid candy. U. S. v. 250 Packages of Redus-Aid Reducing Plan and Vitadex Candy. Default decree of condemnation and sale. (F. D. C. No. 3289. Sample No. 20462-E.)**

The labeling of this product bore false and misleading representations regarding its efficacy as an aid in weight reduction.

On October 25, 1940, the United States attorney for the Northern District of Georgia filed a libel against 250 packages of the above-named product at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about September 6 and 7, 1940, by the Illinois Vitamin Products Co. from Evanston, Ill.; and charging that it was misbranded.

Analysis showed that the article consisted chiefly of sugars (including sucrose, glucose, and invert sugar), fats, proteins, and a small proportion of mineral matter including salt and a calcium compound. It had the taste and appearance of caramel candy and would furnish the same amount of calories as ordinary candy.

It was alleged to be misbranded in that statements and designs in the labeling represented and suggested that it would be efficacious to cause a loss of weight easily and sensibly, would curb the appetite for sweet, rich foods, would enable the user to cut down on the amount of food without pangs of hunger, and would help remove excess fat and increase bodily vigor, which were false and misleading since it would not be efficacious for such purposes.

On November 25, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be sold but that the boxes and literature be destroyed.

**398. Misbranding of Dr. Wright's Big Four Emulsion. U. S. v. 127 Gallon Cans of Dr. Wright's Big Four Emulsion. Consent decree of condemnation. Product released under bond to be relabeled. (F. D. C. No. 1852. Sample No. 4114-E.)**

The labeling of this veterinary product bore false and misleading representations regarding its efficacy in the conditions indicated below.

On or about May 10, 1940, the United States attorney for the Northern District of Illinois filed a libel against 127 gallon cans of the above-named product at Rockford, Ill., alleging that the article had been shipped in interstate commerce on or about February 24, 1940, by the Big Four Mills, Ltd., from Covington, Ky.; and charging that it was misbranded.

Analysis showed that the article was an emulsion containing fatty oils, small proportions of volatile oils (including oil of eucalyptus, ginger, and turpentine), and water.

The article was alleged to be misbranded in that the following statements in the labeling, "Dr. Wright's Big Four Emulsion for the treatment and prevention of Round and Tape worms in Chickens and Turkeys. Dr. Wright's Big Four Emulsion is non-poisonous. It will not in any way retard appetite, growth or production of <sup>the</sup> bird," were false and misleading since it would not be efficacious for the purposes recommended, namely, the treatment and prevention of round and tape worms in chickens and turkeys and against worms that infest poultry.

On November 27, 1940, Big Four Mills, Ltd., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered that the product be released under bond conditioned that it be relabeled under the supervision of the Food and Drug Administration.

**399. Misbranding of Kendall's Acute Spavin Counter-Irritant. U. S. v. 20 Bottles of Kendall's Acute Spavin Counter-Irritant. Default decree of condemnation and destruction. (F. D. C. No. 2303. Sample No. 2483-E.)**

The labeling of this veterinary product bore false and misleading representations regarding its efficacy for the conditions indicated below.

On July 1, 1940, the United States attorney for the District of Massachusetts filed a libel against 20 bottles of the above-named product at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about January 2 and March 25, 1940, by the Dr. B. J. Kendall Co., from Enosburg Falls, Vt.; and charging that it was misbranded.

Analysis showed that the article consisted essentially of various oils (including thymol, camphor, oil of cloves, oil of turpentine, and oil of cade), iodine in combined form, and alcohol.

The article was alleged to be misbranded in that the carton and bottle labels bore representations regarding its efficacy in the treatment of acute bone spavin, ringbones, splints, acute irritations of the tendons (tendinitis), lameness, scratches, cracked heels, swellings, and bruises which were false and misleading since it would not be efficacious in the treatment of such conditions.

On August 6, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**400. Misbranding of I-O-Tab (Iotein Tablets). U. S. v. 11 $\frac{19}{24}$  Cases of I-O-Tab (Iotein Tablets). Default decree of condemnation and destruction. (F. D. C. No. 1948. Sample No. 13373-E.)**

The labeling of this veterinary product bore false and misleading representations regarding its efficacy in the conditions indicated below.

On May 21, 1940, the United States attorney for the District of Oregon filed a libel against 11 $\frac{19}{24}$  cases of the above-named product at Portland, Oreg., alleging that the article had been shipped in interstate commerce on or about February 29, 1940, by the Dr. F. Y. Chuck Research Laboratories from San Francisco, Calif.; and charging that it was misbranded.

Analysis showed that the tablets contained 3.44 percent of nicotine and 0.85 percent of iodine incorporated in a base of feed concentrate containing crude fat (24 percent), reducing sugars, wheat starch, and tannic acid.

The article was alleged to be misbranded in that the following statements on the label and representations in an accompanying circular regarding its efficacy in the prevention and treatment of coccidiosis, blackheads and worms in general were false and misleading since it was not efficacious for the purposes recommended: (Label) "For the Treatment of Fowl Suffering from Coccidiosis, 'blackhead,' Cecum Worms (Heterakis gallina \* \* \* I-O-Tab is Iotein in tablet form for individual treatment of pullets, hens or turkeys that have gone 'backward' or 'light' due to Chronic Coccidiosis, 'Blackhead,' \* \* \* Cecum Worms. The active principle in I-O-Tab is Iotaline, a complex Iodo-Alkaloidal compound having a destructive action on the parasites specified, but little, if any toxic action on the fowl, when used as directed. Pick out all the birds that show the slightest sign of 'going backward' into a small pen and give each bird an I-O-Tab daily for 3-4 days. \* \* \* help to nourish the birds back to health. A laxative should be given on the first and third days of treatment to activate the ceca in case of cecum worm infestation \* \* \* Decided improvements should be noticed in the birds one week following treatment. Birds that have not yet responded should be treated again. For a flock treatment use Iotein."

On July 2, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

### DRUGS IN DECEPTIVE CONTAINERS

**401. Misbranding of salicylic acid. U. S. v. 83 Cases of Salicylic Acid. Default decree of condemnation and destruction. (F. D. C. No. 1389. Sample No. 80322-D.)**

The packages containing this product were filled to not more than 46 percent of their capacity.

On January 19, 1940, the United States attorney for the Eastern District of Kentucky filed a libel against 83 cases, each containing 12 one-quarter-ounce boxes of salicylic acid at Ashland, Ky., alleging that the article had been shipped in interstate commerce on or about August 2, 1939, by the George H. Nowland Co. from Cincinnati, Ohio; and charging that it was misbranded in that its containers were so made, formed, or filled as to be misleading.

On February 15, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**402. Misbranding of Zymole Trokeys. U. S. v. 71 Dozen Packages of Zymole Trokeys. Default decree of condemnation. Product ordered delivered to a Federal institution. (F. D. C. No. 3588. Sample No. 31531-E.)**

This product occupied only 61.5 percent of the available space in the carton in which it was packed.

On December 23, 1940, the United States attorney for the Eastern District of Michigan filed a libel against 71 dozen packages of Zymole Trokeys at Detroit, Mich., alleging that the article had been shipped in interstate commerce on or